

of existence of the Special District Court of Gregg County, Texas, to January 25, 1943, and declaring an emergency."

On motion of Senator Hill, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The President laid the bill before the Senate, it was read second time, and was passed to third reading.

House Bill No. 82 on Third Reading

Senator Hill moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that H. B. No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Nays—2

Aikin Isbell

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Beck	Nelson
Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Rawlings
Davis	Redditt
Head	Roberts
Hill	Shivers
Holbrook	Small
Lemens	Spears
Moore	Stone
Neal	Sulak

Van Zandt
Weinert
Westerfeld

Winfield
Woodruff

Nays—2

Aikin Isbell

Adjournment

On motion of Senator Spears, the Senate, at 10:45 o'clock a. m., adjourned until 10 o'clock a. m. tomorrow.

TWELFTH DAY

(Tuesday, October 19, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called, and the following Senators were present:

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with, and the Journal was approved.

Petitions and Memorials

Senator Holbrook submitted two communications, in the nature of petitions, opposing the levy of additional taxes, which were read to the Senate.

Reports of Standing Committees

The following reports were submitted by the chairmen of the several committees indicated:

Senate Chamber,
Austin, Texas,
October 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 78, A bill to be entitled "An Act amending House Bill No. 99, Acts of the Regular Session of the Forty-fifth Legislature, as amended by Senate Bill No. 24 of the First Called Session of the Forty-fifth Legislature by amending Section 25 of said House Bill No. 99 by providing that any person purchasing citrus fruit, and paying therefor in current money of the United States, shall be exempt from giving the bond provided for in the Act; and providing that such person applying for license shall indicate on his application that he desires to operate as a cash buyer; prescribing the rights of such cash citrus dealer; and providing the amount of license fee, a penalty for violation; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass as amended and be not printed.

DAVIS, Chairman.

Senate Chamber,
Austin, Texas,
October 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. C. R. No. 14, "Commending President Green of the American Federation of Labor upon his stand in advocating parity prices for agricultural products and for his promise of sympathetic and substantial support of the American Federation of Labor to the farmers in the solution of their problems,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Senate Chamber,
Austin, Texas,
October 18, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 12, A bill to be entitled "An Act providing that in counties having a population of thirty-seven thousand five hundred and one (37,501) and not more than sixty thousand (60,000) according to the last preceding Federal Census, the County Judge may appoint a court stenographer to be called and known as the official County Court Reporter of the County Court; to define and prescribe the duties of such court reporter, and fix the compensation and tenure of office; prescribing the fund from which the salary is to be paid, and prescribing the taxing of costs in civil suits in which answer is filed, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with amendment, and be not printed.

SPEARS, Chairman.

Senate Chamber,
Austin, Texas,
October 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 96, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, Thirty-ninth Legislature, Chapter 4, page 6, 1925; providing for change in duration of term of court in the Fifty-second Judicial District; fixing the time of taking effect of this Act; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Vice-Chairman.

Senate Chamber,
Austin, Texas,
October 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 13, A bill to be entitled "An Act amending Article 6077-C of the Revised Civil Statutes of the State of Texas (Acts 1933, 43rd Legislature, First Called Session, page 275, Chapter 110) by clarifying and enlarging the description in Section 4 and adding Section 5-A, to remove the additional Public School lands from sale and lease, and Section 6-A providing for the management of public donations by the Texas State Parks Board to acquire acreage within the area, and giving the Board the power to condemn such lands and use the public funds for the purchase of such lands for park purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODRUFF, Chairman.

Senate Chamber,
Austin, Texas,
October 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 74, A bill to be entitled "An Act validating, ratifying, and confirming action of Board of Trustees in establishing re-defining, and creating Common School Districts, Independent School Districts, and Rural High School Districts, with certain exceptions; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Senate Bills on First Reading

The following bills were introduced, read first time and referred

by the President to the committees indicated:

By Senator Davis:

S. B. No. 16, A bill to be entitled "An Act to exempt from county supervision of its schools all independent school districts in certain counties regardless of the population of said districts, and declaring an emergency."

Referred to Committee on Education.

By Senators Van Zandt and Woodruff:

S. B. No. 17, A bill to be entitled "An Act amending Sections 2 to 23 inclusive of Senate Bill No. 185, passed at the Regular Session of the Forty-fifth Legislature; reallocating the moneys appropriated in Section 1 of said Senate Bill No. 185, including specified amounts to match Federal funds appropriated for the purpose of conducting work in Vocational Agriculture, Home Economics, Trades and Industries, General Rehabilitation and Rehabilitation for Crippled and Defective Children, attaching conditions, regulations and limitations relative thereto; making various allocations of said appropriation, setting forth the benefits thereof; authorizing aid to such schools in accordance with the conditions specified herein; providing for the support for a certain length of term of all schools meeting the requirements of this Act; providing for the payment each year of the biennium of high school tuition for rural school pupils according to the provisions of House Bill No. 158, General Laws, Regular Session, Forty-fourth Legislature, as amended; providing high school tuition for pupils in consolidated or rural high school districts composed of not less than three original districts; providing for the payment of transportation aid under certain conditions; specifying the penalties for violation of any provision of this Act; declaring it to be unlawful for any agent or employee of the State to violate any provision of this Act, and prescribing the punishment thereof; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under the authority of the State Superintendent of Public Instruction under the direction of the State Board of Edu-

cation; authorizing the State Superintendent of Public Instruction, under the direction of the State Board of Education, to administer the funds appropriated herein; authorizing the State Board of Education or its agents to receive donations and gifts and to place same in the State Treasury of Texas in a special fund to be used under the provisions of the Vocational Rehabilitation Act; providing purposes for which funds allocated hereunder may be used; defining powers of the State Board of Education and the State Superintendent of Public Instruction; providing for the method and manner of appointing certain employees; providing for application for aid; making certain exceptions for counties with less than one thousand four hundred (1,400) scholastics, districts of more than forty-eight (48) square miles, or more than nine miles in length for transportation aid, districts of more than one hundred (100) square miles with a certain number of high schools contained therein; providing for transfer of entire districts under certain conditions; defining the manner of payments and disbursements of all moneys granted under the provisions of this Act; enacting other provisions necessary and incidental to the provisions of this Act, providing the State shall not be pledged nor obligations incurred against the Rural Aid Fund in any one year in excess of amount appropriated and fixing a penalty; providing for the qualifications of teachers in schools receiving State Aid and making certain exemptions; providing no financial aid shall be withheld because of deficiency in certificates held by teachers in a school unless such deficiency is covered by a rule or regulation expressly provided for by statute of the State of Texas; providing that the tax provisions and other inhibitions set forth herein shall not apply to schools attended by Alabama Indians in Polk County and certain other exceptions; declaring the rule in event any part, section, or provision of this Act is declared unconstitutional it shall not invalidate the rest of this Act; providing for repeal of all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Finance.

By Senator Winfield:

S. B. No. 18, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for the purpose of maintaining the public schools and issuing bonds in school districts in all counties which, according to the Federal Census of 1930, have a population of not fewer than 3960 and not more than 4000; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Educational Affairs.

By Senator Head:

S. B. No. 19, A bill to be entitled "An Act amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the 42nd Legislature, second Called Session, amended by House Bill No. 25, First Called Session of the Forty-fifth Legislature, Section 5, Article 1645d, fixing the compensation of County Auditors in every County having a population of not less than 50,030 and not more than 60,000 inhabitants according to the last preceding Federal Census, and prescribing how same shall be paid; repealing all laws in conflict therewith; and declaring an emergency."

Referred to Committee on Counties and County Boundaries.

By Senator Westerfeld:

S. B. No. 20, A bill to be entitled "An Act to amend Article 4180 of the revised Civil Statutes of the State of Texas 1925, Acts 1937 Forty-fifth Legislature, Senate Bill No. 84, Section 1, relating to the investment of surplus funds of ward or wards in the hands of guardians or the lending of same, designating certain investments that may be made, so as to provide for the purchase by a guardian of bonds of any County, or of any District or Sub-division in Texas, or of any incorporated city or town in Texas, and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

Senate Concurrent Resolution No. 8

Senator Spears offered the following resolution:

S. C. R. No. 8, Granting L. M. Anderson permission to sue the State of Texas and the State Highway Department.

The resolution was read and was referred to the Committee on State Affairs.

Senate Concurrent Resolution No. 9

Senator Sulak offered the following resolution:

Whereas, under House Bill No. 8, enacted by the Third Called Session of the Forty-fourth Legislature, certain restrictions were laid down relative to those who would qualify for old age assistance, and

Whereas, this Act is being interpreted to prevent many people from receiving assistance who have a child, children or other relatives on whom said applicant is dependent, and

Whereas, this creates a very unsatisfactory situation and is perhaps the cause for many worthy old people to be denied assistance, and creates a condition where a more lengthy and intensive investigation is required which is very expensive and aggravating; now, therefore, be it

Resolved, by the Senate of Texas, the House concurring, That it is the intent of this Legislature that, while it recognizes the normal and moral responsibility of children for their parents when such children are financially able to sustain their parents in their declining years, it is felt, nevertheless, that children should not be held to this obligation when to do so sacrifices them and their own families, and be it further

Resolved, That it is the intent of this Legislature that the Texas Old Age Assistance Commission not deny assistance to an applicant who has a child, children, or other relatives upon whom said applicant is solely dependent for support, unless there is obtained from such child, children or relatives a written agreement that the aforesaid child, children or relatives either can and are willing, so long as their economic and financial condition will permit, jointly or severally, to provide support for the applicant, or cannot provide said support for the applicant, and that this restriction be placed upon the Texas Old Age Assistance Commission in

the consideration of the application for old age assistance.

SULAK,
ISBELL,
HILL.

The resolution was read and was referred to the Committee on Finance.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bills and resolutions:

H. B. No. 36, "An Act to amend Section 5 of Article 8307 of the Revised Civil Statutes of the State of Texas, as amended by the Act of 1931 passed by the 42nd Legislature, by adding a new Section thereto to be designated as Section 5A; providing that whenever the last day for filing any notice with the Industrial Accident Board or for the filing of a suit upon appeal from the ruling of said Board shall fall on a holiday or on Sunday, that the time for the filing of such notice or such appeal, shall be extended so as to include the next succeeding business day, and making such provision applicable to all cases in which final judgment had not been rendered and to those cases pending upon appeal as well as those pending in trial Courts; and declaring an emergency."

H. B. No. 95, "An Act validating county elections heretofore held for the issuance of bonds for hospital purposes, applicable only to such counties as contain a city having a population of not less than one hundred and fifty thousand (150,000), according to the last preceding Federal Census; validating the actions of county officials and State officials in executing, approving, registering, selling, and delivering said bonds; providing that this Act shall not affect litigation pending at the time the Act becomes effective; and declaring an emergency."

H. B. No. 86, "An Act amending Article 6954, Chapter 6, Title 121 of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of the Regular Session of

the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House Bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8, of the Acts of the Third Called Session of the Forty-first Legislature, Senate Bill No. 22, as amended by Chapter 15, Acts of the Fourth Called Session of the Forty-first Legislature, and further amended in Chapter 313 of the Acts of the Regular Session of the Forty-second Legislature, and as further amended by Chapter 9 of the Acts of the Third Called Session of the Forty-second Legislature, and as further amended by Chapter 48 of the Acts of the Regular Session of the Forty-third Legislature, as further amended by Chapter 34, of the Special Laws of the Acts of the Regular Session of the Forty-fourth Legislature, and as further amended by House Bill No. 395, Acts of the Regular Session, Forty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said Article the County of Brazoria; and declaring an emergency."

H. B. No. 91, "An Act declaring it unlawful to take, hunt or kill deer in San Jacinto County for a period of five years; prescribing a penalty, and declaring an emergency."

H. B. No. 82, "An Act to amend Section 8 of House Bill No. 226 of the Regular Session of the Forty-fourth Legislature, being Chapter 4, Acts of the Regular Session of 1935, extending the time of existence of the Special District Court of Gregg County, Texas, to January 25, 1943, and declaring an emergency."

H. C. R. No. 8, Granting permission to Mrs. Eura Boulware to sue the State.

H. C. R. No. 10, Granting permission to Mr. and Mrs. C. F. Rohrer to sue the State of Texas.

H. C. R. No. 39, Authorizing correction in enrolled copy of H. B. No. 36.

H. C. R. No. 42, Granting Judge H. A. Dolan leave of absence from the State.

H. C. R. No. 2, Granting Vina Wood permission to sue the State of Texas and the State Highway Department for personal damages.

H. C. R. No. 13, Granting Mrs. Lillian Stallings Russell and others permission to sue the State.

(Senator Moore in the Chair.)

Senate Concurrent Resolution No. 9

Senator Sulak moved that S. C. R. No. 9, expressing legislative intent as to eligibility of applicants for old age assistance, be withdrawn from the Committee on Finance and that the resolution be taken up for consideration at this time.

(President in the Chair.)

Senator Rawlings raised a point of order on consideration of the motion of Senator Sulak, on the ground that the resolution purposes to amend a general law by resolution and relates to a subject not submitted for consideration at the current called session of the Legislature.

The President sustained the point of order.

Senate Bill No. 9 on Passage to Engrossment

Senator Hill called from the President's table, on its passage to engrossment (the bill having been read second time and tabled subject to call on yesterday):

S. B. No. 9, A bill to be entitled "An Act authorizing County Commissioners' Courts to lease or rent office space for the purpose of aiding and cooperating with the agencies of the State and Federal governments engaged in the administration of relief of the unemployed and needy people in the State of Texas, and to pay the regular monthly utility bills for such offices, such as lights, gas and water; to pay for such leases, rentals and utilities out of the County General Fund when in the opinion of a majority of the Commissioners' Court such is essential to a proper administration of such agencies of either the State or Federal governments; providing for the validation of all actions, proceedings, orders and contracts for such rental, lease or utility bills heretofore made by any County Commissioners' Courts; providing that if any part in this

Act shall ever be held unconstitutional, such holding shall not affect the validity of the remaining portions of the Act; and declaring an emergency."

The President laid the bill before the Senate, on its passage to engrossment.

Senator Hill offered the following amendment to the bill:

Amend Senate Bill No. 9 by adding at the end of Section 1 the following:

"The provisions of this Act shall apply to counties having a population of not less than Forty-eight Thousand Nine Hundred and not more than Forty-nine Thousand according to the last preceding Federal Census."

The amendment was adopted.

The bill then was passed to engrossment.

Senate Bill No. 9 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Beck	Burns
Brownlee	Collie

Cotten	Rawlings
Davis	Redditt
Head	Roberts
Hill	Shivers
Holbrook	Small
Isbell	Spears
Lemens	Stone
Moore	Sulak
Neal	Van Zandt
Nelson	Weinert
Newton	Westerfeld
Oneal	Winfield
Pace	Woodruff

Nay—1

Aikin

Senate Concurrent Resolution No. 10

Senator Newton, offered the following resolution:

S. C. R. No. 10, Requesting Southwest Conference Association to admit Texas Technological College to membership in said association.

Whereas, The Texas Technological College of Lubock, Texas, with an enrollment of 3,145 students, is the third largest college in Texas and the second largest coeducational institution in the State, with 60% of men students, and

Whereas, The Texas Technological College is a senior college of the first class, doing work in Agriculture, Engineering, Home Economics, Business Administration, and Arts and Sciences, and

Whereas, The Texas Technological College has an excellent record in interscholastic contests, in Stock Judging, Debate, Dramatics and in Football, and

Whereas, The Texas Technological College is a State supported institution, and has played football contests against such colleges as Baylor, University of Texas, Southern Methodist University, Texas Christian University, Centenary, Oklahoma A. & M., Arizona University and other leading colleges with a creditable showing, and

Whereas, The Texas Technological College has been required to affiliate with associations outside of the State of Texas by reason of the fact that it has not been admitted to the Southwest Conference Association, and

Whereas, By reason of its location in the State, and by reason of its standing in interscholastic football contests between the members of the Southwest Conference in which it

has engaged would justify its admission to said Conference, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That we request the Southwestern Conference Association to admit the Texas Technological College of Lubock, Texas, at the earliest possible time to full membership to that Association in the confident belief that said college will make an excellent member of said Association, and that said college ought, by right, to belong to the same interscholastic association as other Texas colleges and universities of the same rank, be it further

Resolved, That a copy of this resolution be forwarded to each of the member colleges and universities of the Southwestern Conference Association.

NEWTON,
NELSON.

The resolution was read and was referred by the President to the Committee on Finance.

Senate Bill No. 12 On Second Reading

On motion of Senator Cotten and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration at this time of S. B. No. 12.

The President then laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 12, A bill to be entitled "An Act providing that in counties having a population of thirty-seven thousand five hundred and one (37,501) and not more than sixty thousand (60,000) according to the last preceding Federal Census, the County Judge may appoint a court stenographer to be called and known as the official County Court Reporter of the County Court; to define and prescribe the duties of such court reporter, and fix the compensation and tenure of office; prescribing the fund from which the salary is to be paid, and prescribing the taxing of costs in civil suits in which answer is filed, and declaring an emergency."

The bill was read second time.

Senator Cotten offered the following amendment to the bill:

Amend S. B. No. 12 by striking out in population brackets the following:

"thirty-seven thousand five hundred and one (37,501), and not more than sixty thousand (60,000)" and inserting in lieu thereof the following:

"Not less than forty thousand nine hundred and five (40,905) and not more than forty-one thousand (41,000)"; also amending the caption to conform with the body of the bill.

(Senator Moore in the Chair.)

The amendment was adopted.

The bill then was passed to engrossment.

Senate Bill No. 12 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Beck	Hill
Brownlee	Holbrook
Burns	Isbell
Collie	Lemens
Cotten	Moore
Davis	Neal
Head	Nelson

Newton	Spears
Oneal	Stone
Pace	Sulak
Rawlings	Van Zandt
Redditt	Weinert
Roberts	Westerfeld
Shivers	Winfield
Small	Woodruff

Nay—1

Aikin

House Bill No. 60 on Second Reading

On motion of Senator Aikin, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration at this time of H. B. No. 60.

The Presiding Officer then laid before the Senate, on its second reading and passage to third reading:

H. B. No. 60, A bill to be entitled "An Act providing that in certain counties convicts either laying their fines out in jail or working such fines out on the county farm, county roads or other public works shall receive a credit therefor of One (\$1.00) Dollar per day for each day worked or spent in jail, and declaring an emergency."

The bill was read second time.

On motion of Senator Aikin, the bill was tabled subject to call.

House Bill No. 96 on Second Reading

On motion of Senator Davis, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration at this time of H. B. No. 96.

The Presiding Officer then laid before the Senate, on its second reading and passage to third reading:

H. B. No. 96, A bill to be entitled "An Act amending Article 199, Revised Statutes of Texas, Thirty-ninth Legislature, Chapter 4, page 6, 1925; providing for change in duration of term of court in the 52nd Judicial District; fixing the time of taking effect of this Act, and declaring an emergency."

The bill was read second time.

Senator Davis offered the following amendments to the bill:

(1)

Amend House Bill No. 96 by striking out the first paragraph of Section

1 and inserting in lieu thereof the following:

"Section 1. That Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 4, Section 1, page 6, Acts of the Regular Session of the Thirty-ninth Legislature, as pertaining to the 52nd Judicial District, be amended to read as follows":

(2)

Amend the caption to conform to the body of the bill.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill No. 96 on Third Reading

Senator Davis moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that H. B. No. 60 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Holbrook
Beck	Isbell
Brownlee	Lemens
Burns	Moore
Collie	Neal
Cotten	Nelson
Davis	Newton
Head	Oneal
Hill	Pace

Rawlings	Sulak
Redditt	Van Zandt
Roberts	Weinert
Shivers	Westerfeld
Small	Winfield
Spears	Woodruff
Stone	

House Bill No. 78 on Second Reading

On motion of Senator Neal, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration at this time of H. B. No. 78.

The Presiding Officer then laid before the Senate, on its second reading and passage to third reading:

H. B. No. 78, A bill to be entitled "An Act amending House Bill No. 99, Acts of the Regular Session of the Forty-fifth Legislature as amended by Senate Bill No. 24 of the First Called Forty-fifth Legislature by amending Section 25 of said House Bill No. 99 by providing that any person purchasing citrus fruit from any dealer qualified as such, and paying therefor in current money of the United States, shall be exempt from giving the bond provided for in the Act and providing that such person applying for license shall indicate on his application that he desires to operate as a cash buyer, buying only from qualified dealers, prescribing the rights of such cash citrus dealer and providing the amount of license fee, a penalty for violation, and declaring an emergency."

The bill was read second time.

Senator Neal offered the following amendments to the bill:

(1)

Amend House Bill No. 78 by substituting the following instead of Section 25, which shall read as follows:

"The provisions of this Act shall not apply to any person, firm or corporation paying for such commodities in lawful currency of the United States at the time of purchase."

(2)

Amend the caption to conform to change in the body of the bill.

The amendments were adopted severally.

The bill then was passed to third reading.

House Bill No. 78 on Third Reading

Senator Neal moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that H. B. No. 78 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—30

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Nay—1

Aikin

Senate Bill No. 13 on Second Reading

On motion of Senator Winfield, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended, to permit consideration of S. B. No. 13 at this time.

The Presiding Officer then laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 13, A bill to be entitled "An Act amending Article 6077-C of the Revised Civil Statutes of the State of Texas (Acts 1933, Forty-third Legislature, First Called Session, Page 275, Chapter 110) by clarifying and enlarging the description in Section 4 and adding Section 5-A, to remove the additional Public School lands from sale and lease, and Section 6-A providing for the management of public donations by the Texas State Parks Board to acquire acreage within the area, and giving the Board the power to condemn such lands and use the public funds for the purchase of such lands for park purposes, and declaring an emergency."

The bill was read second time.

On motion of Senator Woodruff, the bill was tabled subject to call.

House Bill No. 60 on Passage to Third Reading

Senator Aikin called H. B. No. 60 from the President's table on its passage to third reading (the bill having been read second time and tabled subject to call today).

The Presiding Officer laid the bill before the Senate on its passage to third reading.

The bill then was passed to third reading.

House Bill No. 60 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 60 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Neal
Brownlee	Nelson
Burns	Newton
Collie	Oneal
Cotten	Pace
Davis	Rawlings
Head	Redditt
Hill	Roberts
Holbrook	Shivers
Isbell	Small
Lemens	Spears

Stone
Sulak
Van Zandt
Weinert

Westerfeld
Winfield
Woodruff

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Newton
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Nay—1

Oneal

House Bill No. 74 on Second Reading

On motion of Senator Sulak, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally to permit consideration of H. B. No. 74 at this time.

The Presiding Officer then laid before the Senate, on its second reading and passage to third reading:

H. B. No. 74, A bill to be entitled "An Act validating, ratifying and confirming action of all County Boards of Trustees in establishing, redefining and creating common consolidated school districts, common school districts, independent school districts, and rural high school districts, and declaring an emergency."

The bill was read second time.

(President in the Chair.)

On motion of Senator Oneal, the bill was recommitted to the Committee on Educational Affairs.

Adjournment

On motion of Senator Van Zandt, the Senate, at 12:05 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Reports of Committees on Engrossed and Enrolled Bills

October 13, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read Senate Concurrent Resolutions Nos. 4 and 5, and find same correctly engrossed.

ROBERTS, Chairman.

October 7, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read S. B. No. 2, and find same correctly engrossed.

ROBERTS, Chairman.

October 12, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read S. B. No. 3, and find same correctly engrossed.

ROBERTS, Chairman.

October 13, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read S. B. No. 6, and find same correctly engrossed.

ROBERTS, Chairman.

October 14, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills beg to report we have carefully examined, compared and read S. B. No. 2, and find same correctly enrolled.

WESTERFELD, Chairman.

THIRTEENTH DAY

(Wednesday, October 20, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called, and the following Senators were present:

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Neal, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with.

Message from the Governor

The President laid before the Senate, and had read, the following message, which was referred to the Committee on Nominations of the Governor:

Executive Office

Austin, Texas,
October 14, 1937.

To the Senate of the Forty-fifth Legislature (Second Called Session).

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be Judge of the Special Ninth District Court:

E. T. Murphy, of Polk County (re-appointment under provisions of Subdivision 9-A, Article 199, under which, as provided at the Regular Session,